EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Matthew Jacob on August 07, 2008.

In claim 26, lines 8-9, delete "obtained by transition metal catalyzed radical polymerization" as a second occurrence definition in the same claim at lines 3-4.

Cancel claim 28 as having a redundant limitation for "obtained by transition metal catalyzed radical polymerization." Claim 28 is depending on claim 26 having the same definition.

Change dependency of claim 33 to claim 26 by deleting "32". Because the type of monomers in claim 33 is not readable in claim 32.

In claim 34 delete "core the shell" and insert –core and/or shell-.

See interview summary of August 07, 2008.

2. The following is an examiner's statement of reasons for allowance:

The cancellation of claims 1-25 is noted.

The claimed invention is a branched copolymer comprising an acrylic copolymer comprising at least one core arm comprising at least one acrylic core polymer and at

least one shell arm comprising at least one acrylic shell polymer where said acrylic copolymer is obtained by transition metal catalyzed radical polymerization and has a polydispersity of from 3 to 10, and where (a) the core polymer has a polydispersity of at least 2 and a Tg of from -65C to -20C, and (b) the shell polymer has a Tg of from 70C to 160C; where the branched polymer is a star shaped thermoplastic elastomer acrylic block copolymer with a number average molecular weight (Mn) of greater than 100 kilodaltons obtained by transition metal catalyzed radical polymerization.

The claimed invention is a product-by-process that is a product.

The closest references of record are Matyjaszewski et al Patent 5,763,548 and Goetz et al Patent 6,583,223 each in view of either Yuasa et al Patent 6,326,116 or Ohba et al Patent 6,534,229.

Matyjaszewski does not disclose claimed polydispersity index of acrylic copolymer in the range of from 3 to 10, nor a polydispersity of at least 2 for a core polymer.

Goetz does not disclose the claimed polydispersity index of from 3 to 10 for the acrylic copolymer.

While Yuasa discloses a copolymer obtained by copolymerizing at least a styrene based monomer and (meth)acrylic monomer, Yuasa does not disclose the claimed branched copolymer having a core/shell structure having a soft core and a rigid=hard shell segment.

Ohba discloses a polyester resin having a straight-chain structure (i) and a crosslinked polyester resin (ii). Ohba does not disclose the claimed branched acrylic copolymer having a core/shell structure.

There is no motivation to combine the teachings of the primary reference with secondary reference to obtain the claimed branched acrylic copolymer having core/shell structure having specified polydispersity index.

Other primary reference Patent 5,721,330 to Ma discloses acrylic based graft/comb copolymer. Ma does not disclose claimed core/shell structure, and does not disclose a polydispersity index of core polymer, nor a polydispersity index of the resulting acrylic copolymer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLGA ASINOVSKY whose telephone number is (571)272-1066. The examiner can normally be reached on 9:00 to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Olga Asinovsky
Examiner
Art Unit 1796

O.A.
August 07, 2008

/Randy Gulakowski/
Supervisory Patent Examiner, Art Unit 1796